

**REMARKS**

Claims 1-13 and 15-17 are pending in this application. By this Amendment, claims 1, 15 and 16 are amended. Reconsideration based on the above amendments and following remarks is respectfully requested.

**I. The Claims Define Allowable Subject Matter**

The Office Action rejects claims 1, 3, 6-11, and 15-17 under 35 U.S.C. §103 as unpatentable over U.S. Patent Publication No. 2002/0018278 to Sato (hereinafter "Sato") in view of U.S. Patent No. 5,429,962 to Yang (hereinafter "Yang"); claim 2 under 35 U.S.C. §103 as unpatentable over Sato in view of Yang and further in view of U.S. Patent No. 6,396,470 to Zhang et al. (hereinafter "Zhang"); and claims 4, 5, 12 and 13 under 35 U.S.C. §103 as unpatentable over Sato in view of Yang and further in view of U.S. Patent No. 6,806,932 to Matsushima (hereinafter "Matsushima") and Zhang. The rejections are respectfully traversed.

Sato does not disclose that the entire region inside the contact hole is filled with a filler formed of the same material as the pixel electrode and having a substantially planar upper surface, as claimed in claim 1, and similarly claimed in claims 15 and 16. Support for this feature is found in the present application at least in the specification at paragraph 137 and in Fig. 4. Instead, Sato discloses a filler that is an alignment film 16. As shown in Fig. 17, the upper surface of the alignment film 16 includes an indentation. This indentation creates a problem, i.e., the indentation disrupts alignment of the liquid crystal. Contrarily, the claimed invention includes filler that is made of the same material as the ITO and that has a substantially planar upper surface, i.e., it does not include the indentation of Sato and is therefore not subject to the problems caused thereby.

Yang, Zhang and Matsushima do not make up for the above deficiencies of Sato. Thus, for at least the reasons discussed above, it is respectfully submitted that claims 1, 15

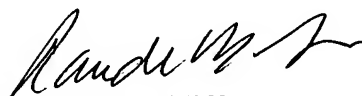
and 16 are distinguishable over the applied art. Claims 2-13 and 17, which depend therefrom, are likewise distinguishable over the applied art for at least the reasons discussed as well as for the additional features they recite. Withdrawal of the rejections under 35 U.S.C. §103 is respectfully requested.

## **II. Conclusion**

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



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Attachment:  
Request for Continued Examination

Date: April 7, 2006

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